REMARKS

Claims 1, 9-15, and 19-21 are pending in the application. Claims 2-8, 16-18, 22, and 23 are canceled without prejudice herein. Claims 1, 9-15, and 19-21 have been amended herein. New claims 24-28 are added herein.

Petition For Extension Of Time

A Petition For Extension Of Time Under 37 CFR 1.136(a) is submitted herewith along with the appropriate fee amount for a three (3) month extension.

Rejections under 35 U.S.C. § 102

Claim 11 was rejected under 35 U.S.C. § 102(e), as being anticipated by Perge et al., U.S. Patent Application No. 2003/0014373 ("Perge"). Applicants respectfully traverse the rejection. Independent claim 1, as amended herein to further clarify the claim, includes at least one limitation not taught or suggested by Perge. Therefore, claim 11 includes at least one limitation not taught or suggested by Perge as claim 11 depends from claim 1.

Applicants respectfully submit that Perge discloses a matching system and method for matching business partners. The matching system incorporates a method enabling a presenter, such as a company seeking funding, to prepare a profile template. The profile template provides information parameters useful for a searcher, such as a venture capitalist, to make an initial partnering decision. Perge does not disclose transactions as in the claims herein because a transaction in Perge is merely an exchange of information between parties such as a company and a prospective partner (see paragraph 16 of Perge for example).

Perge does not disclose or suggest at least communication devices, and servers comprising a probabilistic finite state machine and behavioral models, wherein the servers selectively maintain on the communication devices the probabilistic finite state machine and the behavioral models, communication channels coupled to communication devices and the servers, wherein the communication devices and the servers interact to allow an individual communication device user to maintain a plurality of personality

profiles comprising public personality profiles and private personality profiles, states and the behavior models, wherein the communication devices and the servers interact to allow forming one or more groups comprising individuals, the groups based on individual personality profiles, wherein the communication devices and the servers interact to allow the group to maintain a plurality of personality profiles, states and the behavior models, wherein the communication devices and the servers interact to allow communication between individuals based on selected personality profiles, wherein the communication devices and the servers interact to allow communication between the individuals and groups based on personality profiles, wherein the communication devices and the servers interact to allow information acquirement based on personality profiles, wherein the communication devices and the servers interact to execute transactions based on at least one of individual and group personality profiles, wherein transactions comprise commerce transactions, wherein the probabilistic finite state machine demonstrates behavior and learning based on at least one of a current state, the personality profile, the group personality profile, a product personality profile, a service personality profile, and a communication device profile.

For these reasons, Applicants respectfully submit that claim 1 and 11 and are not anticipated by Perge.

Claim 9 was rejected under 35 U.S.C. § 102(e), as being anticipated by Delgado et al., U.S. Patent Application No. 2002/0052873 ("Delgado"). Applicants respectfully traverse the rejection. Claim 9, as amended herein to further clarify the claim, includes at least one limitation not taught or suggested by Delgado.

Delgado teaches connecting a user to the appropriate product or service but does not teach or even suggest servers communicating with the communication device and comprising a probabilistic finite state machine and behavior models, wherein the servers selectively maintain on the communication device the probabilistic finite state machine and the behavior models. Furthermore, Delgado does not teach the communication devices and the servers interacting to allow selection of at least one of products and services and for execution of commerce transactions comprising purchasing at least one of products and services, wherein the probabilistic finite state machine demonstrates

behavior and learning in response to the commerce transactions based on at least one of the state, the personality profile, the product personality profile, the service personality profile, and a communication device profile.

For these reasons, Applicants respectfully submit that claim 9 and is not anticipated by Delgado.

Rejections under 35 U.S.C. § 103

Claims 1, 13, 14, 20, and 21 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Perge in view of Delgado. Applicants respectfully traverse the rejection. Claim 1, as amended herein to further clarify the claim, includes at least one limitation not taught or suggested by the combination of Perge and Delgado.

Applicants respectfully submit that Perge does not disclose or suggest at least communication devices, and servers comprising a probabilistic finite state machine and behavioral models, wherein the servers selectively maintain on the communication devices the probabilistic finite state machine and the behavioral models, communication channels coupled to communication devices and the servers, wherein the communication devices and the servers interact to allow an individual communication device user to maintain a plurality of personality profiles comprising public personality profiles and private personality profiles, states and the behavior models, wherein the communication devices and the servers interact to allow forming one or more groups comprising individuals, the groups based on individual personality profiles, wherein the communication devices and the servers interact to allow the group to maintain a plurality of personality profiles, states and the behavior models, wherein the communication devices and the servers interact to allow communication between individuals based on selected personality profiles, wherein the communication devices and the servers interact to allow communication between the individuals and groups based on personality profiles, wherein the communication devices and the servers interact to allow information acquirement based on personality profiles, wherein the communication devices and the servers interact to execute transactions based on at least one of individual and group personality profiles, wherein transactions comprise commerce transactions, wherein the

probabilistic finite state machine demonstrates behavior and learning based on at least one of a current state, the personality profile, the group personality profile, a product personality profile, a service personality profile, and a communication device profile.

Like Perge, Delgado also does not teach communication devices, and servers comprising a probabilistic finite state machine and behavioral models, wherein the servers selectively maintain on the communication devices the probabilistic finite state machine and the behavioral models. Furthermore, Delgado does not teach communication devices and the servers interacting to execute transactions based on at least one of individual and group personality profiles, wherein transactions comprise commerce transactions, wherein the probabilistic finite state machine demonstrates behavior and learning based on at least one of a current state, the personality profile, the group personality profile, a product personality profile, a service personality profile, and a communication device profile. Therefore, Delgado does not supply the deficiencies of Perge as stated above.

As claims 13, 14, 20, and 21 depend from amended claim 1 and include further limitations thereon, and since amended claim 1 is patentable over Perge in view of Delgado, Applicants submit that claims 13, 14, 20, and 21 are patentable over Perge in view of Delgado.

Claim 10 was rejected under 35 U.S.C. § 103(a), as being unpatentable over Perge in view of Delgado, and further in view of Focant et al. (U.S. Patent Application No. 2002/0194334). Focant is cited for teaching means for configuring products/services with RF tags. However, Applicants respectfully submit that the combination of Perge, Delgado and Focant does not result in the claimed invention. Further, Focant does not supply the deficiencies of Perge and/or Delgado as stated above. For this reason, one of ordinary skill would not have been motivated to make the suggested combination. Applicants therefore respectfully submit that claim 10 would not have been obvious in view of Perge, Delgado and Focant.

Claim 12 was rejected under 35 U.S.C. § 103(a), as being unpatentable over Perge in view of Delgado, and further in view of Lieben et al. (U.S. Patent Application No. 2002/0040310). Lieben is cited for teaching a means for one user to query another.

However, Applicants respectfully submit that the combination of Perge, Delgado and Lieben does not result in the claimed invention. Further, Lieben does not supply the deficiencies of Perge and/or Delgado as stated above. For this reason, one of ordinary skill would not have been motivated to make the suggested combination. Applicants therefore respectfully submit that claim 12 would not have been obvious in view of Perge, Delgado and Lieben.

Claim 15 was rejected under 35 U.S.C. § 103(a), as being unpatentable over Perge in view of Delgado, and further in view of Adar et al. (U.S. Patent Application No. 2003/0217106). Adar is cited for teaching a means for the personality profile to be constructed/deconstructed into a plurality of personality profiles. However, Applicants respectfully submit that the combination of Perge, Delgado and Adar does not result in the claimed invention. Further, Adar does not supply the deficiencies of Perge and/or Delgado as stated above. For this reason, one of ordinary skill would not have been motivated to make the suggested combination. Applicants therefore respectfully submit that claim 15 would not have been obvious in view of Perge, Delgado and Adar.

Claim 19 was rejected under 35 U.S.C. § 103(a), as being unpatentable over Perge in view of Delgado, and further in view of Abrams (U.S. Patent No. 7,069,308). Abrams is cited for teaching a means for the individual to form a personal matching network. However, Applicants respectfully submit that the combination of Perge, Delgado and Abrams does not result in the claimed invention. Further, Abrams does not supply the deficiencies of Perge and/or Delgado as stated above. For this reason, one of ordinary skill would not have been motivated to make the suggested combination. Applicants therefore respectfully submit that claim 19 would not have been obvious in view of Perge, Delgado and Abrams.

Conclusion

Applicants respectfully submit that the claims are allowable in view of the foregoing amendments and arguments.

If in the opinion of the Examiner, a telephone conference would expedite the prosecution of this application, the Examiner is encouraged to call the undersigned at (408) 342-1900.

Respectfully submitted,
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